



THE COMMONWEALTH OF MASSACHUSETTS

WATER RESOURCES COMMISSION
100 CAMBRIDGE STREET, BOSTON MA 02114

Meeting Minutes for October 9, 2003

Members in Attendance:

Karl Honkonen	Designee, EOE
Marilyn Contreas	Designee, DHCD
Cynthia Giles	Designee, DEP
Russ Cohen	Designee, DFG
Joe McGinn	Designee, DCR
Richard Butler	Public Member
David Rich	Public Member

Others in Attendance:

Mike Gildesgame	DCR
Linda Marler	DCR
Michele Drury	DCR
Vicki Gartland	DCR
Steve Garabedian	USGS
Margaret Kearns	Riverways
Sara Cohen	DCR
Chris Hatfield	U.S. Army Corps of Engineers
Van Morrill	Public
Jessica Stephens	Neponset River Watershed Association
Melissa Cryan	EOEA
Vandana Rao	EOEA

Agenda Item #1: Executive Director's Report

Marler provided an update on the hydrologic conditions:

- September precipitation was above normal; 5.3 inches estimated statewide. The Connecticut River valley received approximately 10 inches of rain during September. Water year 2003 ended at 121% of normal precipitation statewide.
- Ground water levels were above normal in most of Massachusetts. Streamflow was above normal in the western and Connecticut River valley regions of the state.
- Reservoir levels are normal or above normal for this time of year.
- Hurricanes Isabel and Juan formed in the Atlantic Ocean but did not cause major impacts to Massachusetts. Coastal swells and rip currents occurred as a result of the storms.

Honkonen gave the Executive Director's Report:

- Nominations for the EPA Watershed Initiative grants are due on January 15, 2004. Grants will focus on projects with quick, measurable results and use of partnerships. Grants should be filed through EOEa and the Governor will make the recommendations to EPA for projects to be funded.
- The WRC will be represented on the Water Policy Task Force.
- The Legislature has reduced the number of public members from six to five as a result of the merger of DEM and MDC into DCR. Butler's appointment is no longer in effect, so he is asked not to vote today. The ground water industry will maintain its representation, as required by the WRC enabling act. The new quorum is six.

Agenda Item #2: Vote – Meeting Minutes of November and December 2001

The vote on this item was tabled because of a lack of a quorum.

Agenda Item #3: Presentation – Current Status of Army Corps of Engineering planning assistance programs

Hatfield and Gildesgame reminded the WRC that there are two programs overseen by the ACOE that provide planning assistance to states: the flood plain management program and the planning assistance program. Currently, Massachusetts has seven projects funded under these two programs. The ACOE is two years behind with this program. Resources to fund the program have diminished. The question before the WRC is should additional projects be solicited or should the ACOE focus on completing the outstanding projects?

Gildesgame discussed the process for soliciting projects. Normally, approximately 700 flyers are mailed out to Chief Municipal Officials and Conservation Commissions. It was decided to post the notice to web sites instead of the mailing, with strong wording about the tentativeness of funding and potential delays.

Agenda Item #4: Discussion – IBT policy for small sewer connections

Drury stated that comments had been received on the proposed policy. Staff will review and incorporate the comments in the proposed policy, where appropriate, and then address the legal issues. McGinn stated that the most critical issue was the flow value (100,000 gallons per day versus 1 MGD). The flow threshold would imply a number of connections. It was suggested that because there was no pressing need for this policy at this time, it should not be pursued. However, if it turns out that the WRC is receiving many requests for opinions or determinations for these types of sewer connections, it can reconsider this policy.

Agenda Item #5: Discussion – Review of the 2003 WRC Work Plan, July Workshop and development of the 2004 Work Plan

Honkonen went over the items in the 2003 work plan and discussed the proposed 2004 work plan. Items for the 2003 work plan were:

- Water assets project (ongoing)
- State streamflow policy (ongoing)
- Interbasin Transfer Guidebook (approved by the WRC this year and almost ready to be posted to the web)
- Interbasin Transfer regulation revisions (under internal review)

- update of the Ipswich River basins plan (on hold due to pending litigation)
- Ecosystem restoration (has been given a lower priority by the current administration)
- stressed basins (ongoing)
- Regulatory Reviews under the Interbasin Transfer Act (ongoing)
- Prioritization of ACOE projects.

R. Cohen asked why the WRC could not move forward with the Ipswich River basin plan. Giles responded that the available scientific information has been used in the Water Management Act permits, but it is inappropriate for the WRC to weigh in on the issue, pending litigation.

Simonson stated that WSCAC would like to review the proposed ITA regulation changes. Drury responded that they were currently under internal review. The changes won't be dramatic. The purpose is to make the regulations more responsive to wastewater and groundwater transfers. Once the regulations have been finalized internally, there will be a public review process.

It was decided that the recommendations of the July workshop would be more extensively discussed at the November meeting. As for the 2004 work plan, WRC members should list their priorities so that the work plan can be finalized in December.

Agenda Item #6: Presentation – Wetlands Change

Giles presented this DEP project. With about 50% of the state analysis completed, it is estimated that 766 acres of wetlands have been lost between 1991 to 1993 (the initial flights were in different years for different parts of the state) and 2001. The biggest causes are from cranberry production, commercial development, and residential development. Wooded wetlands have experienced the greatest losses. DEP is researching the percentage of wetlands change that was not permitted. This is very labor intensive. Garabedian asked if DEP was tracking wetlands gain. Beaver activity has probably created more wetlands, and cranberry production is not as intense as it was previously.

Giles said that DEP was focusing on the 1990's and not predicting future changes. It has been concluded that wetlands replication is not working well. DEP has 31 wetlands staffers statewide, an all-time low. The circuit rider program is being drastically cut. DEP is focusing on enforcement and technical assistance and reducing its permitting efforts. The Wetlands Advisory Committee has recommended that buffer zone cases be handled at the Conservation Commission level, with a general permit that specifies standards. It also suggested that time-consuming appeals be "weeded out" so that the real issues can be addressed. A regulation change is being considered that will reduce permitting time and increase compliance and enforcement. DEP is considering realigning the program to prevent wetlands loss. R. Cohen asked if DEP will conduct follow-up enforcement. Giles said that DEP can't do universal enforcement, but is trying to prioritize its efforts. The emphasis is on prevention of wetlands loss and finding out where the biggest problems are occurring.

Meeting adjourned

Meeting minutes approved 1/13/05